

SENSITIVE

Man1-ID: MAOPP1 MANUAL OF ADMIN OPERATIONS AND PROCEDURES PART 1

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## SECTION 0. INVESTIGATIVE AUTHORITY AND RESPONSIBILITY

\*\*EffDte: 10/17/1983 MCRT#: 0 Div: DOD9 Cav: SecCls:

### 0-1 AUTHORITY OF THE DIRECTOR

| The Director's authority is derived from a number of  
| statutory and regulatory sources. For example, Sections 531 through  
| 540a of Title 28, United States Code, provide for the appointment of  
| the Director and enumerates some of his powers. More importantly,  
| with regard to promulgation of this Manual, Section 301 of Title 5,  
| United States Code, authorizes the head of an Executive department to  
| "prescribe regulations for the government of his department, the  
| conduct of its employees, the distribution and performance of its  
| business, and the custody, use, and preservation of its records,  
| papers, and property." The Attorney General, as head of the  
| Department of Justice, has delegated the authority reposed in her by  
| Section 301 to the Director in a variety of orders and regulations.  
| Foremost among these delegations are Subpart P and Section 0.137 of  
| Title 28, Code of Federal Regulations. This Manual is promulgated  
| under the authority thus delegated.|

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### 0-2 TITLE 28, CODE OF FEDERAL REGULATIONS, SECTION 0.137

| "Except as to persons in|Senior Executive Service  
| positions reporting directly to the Director of the Federal Bureau of  
| Investigation or the Administrator or Deputy Administrator of the Drug  
| Enforcement Administration, the Director of the Federal Bureau of  
| Investigation and the Administrator of the Drug Enforcement  
| Administration are authorized, as to their respective  
| jurisdictions,|to exercise the power and authority vested in the  
| Attorney General by law to take final action in matters pertaining to  
| the employment, direction, and general administration (including  
| appointment, assignment, training, promotion, demotion, compensation,  
| leave,|awards,|classification, and separation) of personnel, including  
| personnel in wage board positions. All personnel actions taken under  
| this section shall be subject to post-audit and correction by the  
| Assistant Attorney General for Administration."

\*\*EffDte: 02/29/1996 MCRT#: 494 Div: D9 Cav: SecCls:

\*\*\*\*\* END OF REPORT \*\*\*\*\*

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